THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.4804 OF 1995

Between:

Smt.I.Kanakadurga …. Petitioner

And

1. Vice Chairman & Managing Director

A.P. Women's Cooperative Finance

Corporation Ltd. Hyderabd ….. Respondent

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.4804 of 1995

JUDGMENT:

Questioning the proceedings dated 29.4.1994, the petitioner herein has invoked the jurisdiction of this Court under Article 226 of the Constitution of India. The 2nd respondent, vide proceedings 29.4.1994 terminated the services of the petitioner due to completion of training batch by 30.11.1992 and instructed her to hand over complete charge.

In the affidavit filed in support of the writ petition, it is stated that at the time of joining service as Pickles Instructress, on consolidated pay, there were more than 100 students who studied and passed the course rendering them eligible for self-employment. In the 1992-93 batch, in catering division, students were

not admitted on the ground that sufficient number of students were not available in the unit. According to the petitioner, students who were willing to join the catering division were allotted to other divisions on the pretext that sufficient number of students were not there. The petitioner would question the action of the respondents in terminating her services.

Smt. A.Chayadevi, learned counsel for the petitioner, would submit that while the petitioner was appointed as Pickle Instructress, the order of termination dated 29.4.1994 reads as if her services as Printing & Binding Instructress were terminated. Smt.B.Malleswari, learned standing counsel for the respondent – Corporation, would refer to the order of appointment of the petitioner wherein she was informed that her services were purely temporary and were liable for termination at any time without assigning any reasons. Learned Standing counsel would submit that since no student was admitted in catering division for the 1992-93 batch, the question of continuing the petitioner as Instructress did not arise and consequently her services, being temporary in nature, were terminated.

Even on the petitioner's own admission, no students were admitted in the catering division for the 1992-93 batch. The petitioner was appointed on 16.5.1988 as a Pickle Instructress only to train students in the art of making pickles to enable them to eke out their livelihood through self-employment. In the absence of students being available, for the 1992-93 batch, the action of respondents in terminating the services of the petitioner as pickle instructress cannot be faulted. The order of termination reads as if the petitioner's services as Printing & Binding Instructress were terminated though she was a Pickle & Bakery Instructress. The respondents ought to have been more careful in passing the orders and in ensuring that the proper designation of the employee is mentioned in the order of termination. The mere fact that instead of stating that the petitioner's services as Pickle and Bakery Instructress were terminated, the memo reads as if her services as a Printing & Binding Instructress were terminated, though a mistake, would not enure to the petitioner's benefit, more so, since the subject of the impugned memo rightly refers to the petitioner as a Pickle & Bakery Instructress.

The writ petition is misconceived and is accordingly dismissed. However in the circumstances without costs.

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12-6-2006

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